

**OVERVIEW** (Updated November 2010)

The coastal environment of Banks Peninsula is a legacy of the District's unique geological past. The long and intricate coastline offers an attractive natural environment consisting of large sheltered harbours, coastal cliffs, tidal estuaries, marshes and dunelands, interspersed with beaches and sheltered coves. Many of the natural features of the coastal environment are recognised as having regional and national significance.

The coastline is also a focus for social, economic and cultural activity in the District. The major settlements of the District are located on the coast, and the coastline and surrounding waters are important for recreation, visitor industry and aquaculture. The coastal environment is a working landscape where pastoral farming continues to be the dominant landuse. The coastline is also likely to be of increasing importance for land-located aquaculture enterprises, which must be sited, very close to a source of unpolluted seawater.

As a result of early settlement patterns and the continued use of the land today some development including homesteads, accessory buildings and structures are established within these areas.

Users of the Rural Zone need to be able to respond to future opportunities for a range of land uses, which may include different forms of development. These types of activities can be complementary to farming activities and in the case of tourist, ecologically based or accommodation activities of a scale consistent with objectives and policies. These can have the added benefit of enabling the community and visitors access to the coast and outstanding landscapes.

One of the matters of national importance set out in Section 6 of the Resource Management Act is the preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use and development. All tiers of government share the responsibility for the management of the coastal environment. At the national level there is the New Zealand Coastal Policy Statement which has, as its purpose, the statement of policies to achieve the purpose of the Act in relation to the coastal environment. The District Plan must not be inconsistent with this. The Canterbury Regional Council is responsible for the seaward side of the coastal environment from Mean High Water Springs (MHWS). This part of the coastal environment forms the Coastal Marine Area. The Regional Council and the Minister of Conservation are responsible for controlling activities, which take place within the Coastal Marine Area. The Regional Council also controls activities that are landward of the CMA and are within the Coastal Hazard Zones of the Regional Coastal Environment Plan.

In 2007 the Council completed a Landscaped Study of the Rural Zone on Banks Peninsula. As part of this study, the Council identified those areas of the coast most highly valued for their naturalness and lack of obvious modification in accordance with Section 6(a) of the Resource Management Act. These areas are now encompassed within a Coastal Natural Character Landscape category. This landscape category is defined on the planning maps and does not exceed a distance of approximately 500m from MHWS. Beyond this distance the

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dominance of the coast and the sea/land interface is considered to lessen. The landscape boundary line has been designed to accommodate localised landform subtleties and areas of modification which have reduced natural character.

The Landscape Study which identified the Coastal Natural Character Landscapes has been undertaken at a district wide level. In identifying these landscapes it is recognised that there is the potential for areas to exist within sites which have the potential to absorb some change. The nature of that change must be appropriate having regard to the landscape values identified and relevant objectives and policies.

The provisions of this section of the plan apply across much of the District wherever coastal influence is an important factor. Any application for a resource consent for an activity within the coastal environment will be assessed against the objectives and policies set out below as well as those for the relevant zone.

Updated (November 2010)

<b>ISSUE 1</b>	<b>Inappropriate subdivision, use and development can adversely affect the existing natural character of the coastal environment.</b>
<b>OBJECTIVE 1</b>	<b>To preserve the natural character and amenity values of the coastal environment of the District including the Coastal Natural Character Landscape, and protect it from the adverse effects of inappropriate subdivision, use and development.</b>

### **POLICIES** (Updated November 2010)

- 1A** Coastal landforms, landscapes and vegetation which exhibit distinctive natural character and visual amenity values within the coastal environment, are to be protected from inappropriate subdivision, use and development.
- 1B** To preserve the natural character of the coast through:
- retention, as far as possible, of remaining areas of indigenous vegetation, habitat, natural landforms and the ecological, open space and amenity values associated with these.
  - maintenance of the natural character in those parts of the coastal environment which are unbuilt and/or remote.
- 1C** The scale, form and location of buildings and other structures should not to be visually dominant in the coastal environment.
- 1D** New subdivision, use and development that are appropriate to the location are to occur generally in areas where the natural character has already been compromised.
- 1E** Avoid sprawling or sporadic subdivision use and development.

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**1F** The adverse effects of use and development (including but not limited to land disturbance, earthworks, exotic forestry, indigenous vegetation clearance, buildings and other structures) should be:

- avoided, remedied or mitigated in a manner that preserves the high natural character values of the Coastal Natural Character Landscape;
- avoided, remedied or mitigated in other areas of the coastal environment.

### EXPLANATION AND REASONS

Many parts of the coastline and the coastal environment of the District are wild and remote and are highly valued for their natural character and amenity values. It is important that these areas' high natural values are not adversely affected by activities, earthworks and structures located adjacent to the foreshore. Structures such as jetties and boatsheds, in as much as they are a District Council responsibility, are to be located in areas where that sort of development exists already, where such facilities are required for reasons of safety or are necessary for the carrying out of permitted activities. The policies therefore seek to recognise and provide for the relevant section 6 and 7 matters, while at the same time remaining consistent with section 5 of the Act in that people and communities will still be able to provide for their social, economic and cultural wellbeing.

<b>ISSUE 2</b>	<b>Modification of wetlands and dune systems, drainage, structures, vehicle access and noise, and clearance of significant indigenous vegetation, can adversely affect seabird and mammal and other wildlife habitats within the coastal environment.</b>
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<b>OBJECTIVE 2</b>	<b>To protect, and where practicable, enhance significant indigenous vegetation and significant indigenous wildlife habitats in the coastal environment.</b>
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### POLICIES

**2A** The adverse effects of subdivision, use and development of areas identified as significant ecosystems, significant indigenous wildlife habitats, and significant indigenous vegetation are to be avoided, remedied or mitigated.

**2B** The retention, restoration and rehabilitation of the indigenous ecosystem functioning, habitat values and natural character of the coast of the Banks Peninsula is to be encouraged.

### EXPLANATION AND REASONS

There are habitats or parts of habitats within the coastal environment. These include remnant areas of indigenous coastal vegetation and seabird and marine mammal habitats. Some of these habitats contain rare and endangered species and it is particularly important that they are not adversely affected by the physical intrusion of structures, or the effects of air, water, noise pollution, vegetation clearance or predators.

(Updated October 2006)

<b>ISSUE 3</b>	<b>Discharges and run-off from land use activities can affect the quality of coastal waters.</b>
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<b>OBJECTIVE 3</b>	<b>Land use activities are carried out in such a way so as to maintain or enhance coastal water quality.</b>
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### POLICIES

**3A** When considering resource consents or plan change requests, to ensure that proposals are designed to avoid or reduce sediment and other contaminants from entering the coastal water.

**3B** Land use activities should not induce erosion, subsidence or landslip.

### EXPLANATION AND REASONS

Although the Canterbury Regional Council through its control of discharges principally manages such issues, land use activities, if carried out inappropriately, do have the potential to reduce the quality of the coastal waters. The Council, in conjunction with the Canterbury Regional Council, will foster land use practices that serve to reduce silt-laden runoff. Mitigation measures, such as the use of silt ponds, will be required.

<b>ISSUE 4</b>	<b>Public access to and along the coast.</b>
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<b>OBJECTIVE 4</b>	<b>To maintain and enhance public access to and along the coast in a way that does not adversely affect natural character, indigenous ecosystems, human safety or the amenity values of the coast and adjacent land.</b>
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### POLICIES (Updated April 2007)

**4A** Public access is to be maintained and enhanced.

**4B** To maintain and enhance recreational amenity and public foot access to and along the coast by progressively identifying, mapping and signposting

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suitable unformed legal roads where alternative practical access is not available.

- 4C** Adverse effects of the use of public access on the natural character indigenous ecosystems and amenity of the coast, rural amenity values and human safety are to be avoided, remedied or mitigated.
- 4D** To restrict vehicle access to Kaitorete Spit and the margins of Te Waihora (Lake Ellesmere) to formed roads and authorised formed vehicle tracks except this shall not apply to vehicles used for management purposes (including for farming purposes), scientific research or by fire fighting, civil defence and rescue organisations. (Updated April 2007)

### EXPLANATION AND REASONS

Public access to and along the coastline is currently provided by public roads (some formed and some unformed) and reserves. A road, which is unformed for most of its length, encircles the majority of the coastline of the District. This road is located within the Interim Coastal Protection Area which will act as a buffer to assist in preserving the natural character of the coastal environment. For this reason, it is not intended that this road is formed for vehicular purposes, except where it is the only viable access to the coast or it is necessary for health or safety reasons. Some areas do not have clear or practical access. Following consultation with affected parties it may be appropriate to make improvements to such access.

In addition to this coastal road a proportion of the coastline is in public ownership and used for a range of recreational activities. However, it is important that the level of provision and degree of public access to the coastal environment takes into account environmental and other constraints such as the need for safety or privacy. Access for intensive recreational activities are to be directed towards the more developed parts of the coastline while allowing for limited access, for example only by foot or limited time to sensitive habitats where appropriate.

<b>ISSUE 5</b>	<b>Use and development of the coastal environment may adversely affect the traditional relationships that tangata whenua have with the coastal environment.</b>
<b>OBJECTIVE 5</b>	<b>To recognise and provide for the values of Ngai Tahu and the local tangata whenua relating to the coastal environment.</b>

### POLICIES

- 5A** Use and development should not adversely affect Waahi tapu and other sites, which are significant to tangata whenua.

- 5B** Access to the coastline for the gathering of kai moana is to be maintained or enhanced where appropriate, in consultation with landowners.

### EXPLANATION AND REASONS

The coastal environment of Banks Peninsula and its conservation has a dual significance to Ngai Tahu. In particular, there is a desire to protect Ngai Tahu environmental values and to secure the protection of culturally significant places, sites and objects associated with the occupancy of land by Ngai Tahu who have mana whenua for the area within the jurisdiction of the Banks Peninsula District Council. In addition, there is the need to preserve access to traditional coastal food sources.

### METHODS TO ACHIEVE OBJECTIVES AND POLICIES

#### **Method 1** (Updated November 2010)

Landscapes which display a high degree of naturalness along with an absence of obvious modification are identified as Coastal Natural Character Landscapes on the Planning Maps. Within these areas greater protection is to be afforded the existing values in accordance with Section 6(a) of the Resource Management Act. Ribbon development is considered to be undesirable along the coastal margin and coastal areas not encompassed within the Coastal Natural Character Landscape are subject to a 40m setback from MHWS to provide for the maintenance of recreation, amenity and other values in accordance with Sections 6 & 7 of the Resource Management Act.

#### **Method 2**

Rules relating to activities located within these areas and the coastal environment generally have been chosen as one appropriate method of achieving the purpose of the Act. These are set out in the Rural Zone provisions. A range of non-regulatory methods also applies in this and other Zones.

#### **Method 3** (Updated April 2007)

Council shall, in conjunction with affected landholders and interested parties, consider management options, including signage and fencing, to protect those parts of Kaitorete Spit which are at risk or experiencing damage from inappropriate vehicle access. These areas are shown in Appendix XXII.

### ASSESSMENT OF APPLICATIONS

Any application for resource consent for an activity which is located within the Coastal Environment, is to be assessed against the objectives and policies set out above as well as the objectives and policies for the Rural Zone and any other

objectives and policies and assessment matters of the Plan which are relevant in the consideration of the application.

**ANTICIPATED ENVIRONMENTAL RESULTS AND MONITORING**

The environmental results, which are anticipated through the administration of the provisions of this chapter, are indicated in Chapter 19, the Rural Zone. In order to assess the suitability and effectiveness of the objectives, policies and methods in achieving the Anticipated Environmental Results the Council will develop a monitoring strategy which will include monitoring indicators of the type shown – see Chapter 19 Anticipated Environmental Results.

**REFERENCE TO OTHER PROVISIONS**

- 14 Cultural Heritage
- 15 Trees
- 16 Conservation Reserves Zone
- 19 The Rural Zone
- 31 Subdivisions
- 32 Financial Contributions
- 33 Noise
- 34 Signs
- 35 Access Parking and Loading

